Two Slain in Chile On Day of Arrest

9/2/74

Writer Held

The accompanying story by Joseph Novitski about the apparent summary execution of two Chileans was withheld from publication by Washington Post editors for two days because of threats against Novitski made by Chilean officials in Santiago.

The threats were never specific, but it is known that the government prepared an expulsion decree against Novitski last June. The decree has never been put into effect.

On Saturday, Novitski was told by security officials that he was under house arrest. He was ordered not to make any efforts to gather news or to transmit news stories to Washington. The house arrest was lifted Saturday night, and Novitski was told that he was free to pursue his profession in accordance with the credentials issued by the Chilean government.

The government officials in Santiago never made clear that it was the accompanying story that prompted them to send agents to Novitsky's apartment Friday and then place him under house arrest Saturday. But, in response to questions, officials indicated the story was the cause for the actions, which were ordered at a high level. The story is based on Chilean court documents.

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Leftists Dead

By Joseph Novitski
Special to The Washington Post

SANTIAGO, Chile, Aug. 29 (Delayed)—Two men arrested two weeks ago in a small Chilean town near Santiago died the day they were detained, each with one bullet in his head, according to the records of the Santiago Court of Appeals.

The court, in two recent decisions, agreed to extend a form of judicial protection to the widows and daughters of the dead men, both of whom were members of Marxist political parties that had supported the late President Salvador Allende.

The court action, agreeing to consider a plea to prevent any arrest order for the widows, put on public record what appear to have been the first summary executions in many months in Chile.

It is understood that military authorities have ordered an investigation into the deaths, but neither the court decisions nor any announcement of an investigation has been published in Chilean newspapers.

The military junta that overthrew Allende, a Socialist, last September, prohibited summary executions early this year.

As far as is known, none of

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Writer Held, Threatened By Chileans

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Novitski reports that the Chilean security men who dealt with him personally over the last two days went out of their way to be courteous and helpful given he circumstances. Novitski was permitted to telephone The Washington Post and the U.S. embassy in Santiago whenever he wished. An U.S. embassy official stayed with him most of the last 48 hours.

When the Post protested Novitski's treatment to the Chilean ambassador in Washington Saturday evening, Ambassador Walter Heitmann said he knew nothing of the case, but expressed no concern over Novitski's house arrest saying that the reporter had been warnel before for writing "misleading" articles.

The Radio Corporation of America (RCA) subsidiary in Santiago refused to transmit Novitski's story about the executions. The subsidiary's manager cited a Chilean government decree that makes managers or telecommunications officers potentially responsible for any news story they transmit that the government says is detrimental to Chile's image in the world. Later being refused by RCA Novitski dictated his story to Washington by telephone.

2 Chileans Slain After Detention

SANTIAGO, From A1

the death sentences handed down by courts martial has been carried out since Feb. 13, while nine death sentences for political offenses have been commuted by military commanders during that period.

However, Dr. Hector Garcia, a 50-year-old physician and member of the Socialist Party, and Ruben Lamich, a 48-year-old contractor and member of the Communist Party, died in custody according to the cases heard by the appeals court.

The two men, according to file that bear docket numbers 967-74 and 980-74, were detained separately Aug. 13, in Buin, a semirural town just south of Santiago. Their bodies were returned to their families through the Santiago morgue on Aug. 14 and Aug. 15.

On petition by the widows of the two men, the appeals court agreed last week to ask military and police authorities if there are any orders to arrest the women or their children. There has been no answer yet.

Maria Garcia, the doctor's widow, told the court that her husband had been detained at the Buin hospital, where he worked. She said he had been interrogated briefly, in her presence, shortly before dawn on the same day, when eight men in civilian clothes and two uniformed policemen came to the Garcia home in a police car.

Dr. Garcia's death certificate, cited in the petition, gave the time of his death as 10:30 a.m. Aug. 13, a little more than an hour after he was detained. Mrs. Garcia told the court that at about the same time, an army officer at the regimental base at San Bernardo told a lawyer and a friend of the family that the regiment knew nothing of Garcia's arrest.

Mrs. Garcia said her brother, Candido Garcia was called to the Buin police station Aug. 14 and told that Dr. Garcia was dead. Garcia was given the doctor's identification papers. Later that day he located the doctor's body in the Santiago morgue.

The autopsy report, cited in the court record declared that Dr. Garcia died as a result of one bullet wound in the forehead. It also mentioned bruises on his arms and legs and a cut on his jaw.

The court of appeals has limited access to the record of the petition for protection from arrest made by Mrs. Lamich, the widow of the dead contractor. However, court sources reported that the record showed he had been arrested on the same day in Buin and had died as a result of one shot in the head. The secretary of the court said the court had agreed to consider Mrs. Lamich's plea and had ordered the minister of the interior, who is head of the plainclothes police in Chile, and the commander of the Santiago military garrison, which has jurisdiction over Buin, to report whether any arrest order has been issued for Mrs. Lamich.

If an arrest order has been issued for either Mrs. Garcia or Mrs. Lamich, the court will consider issuing a preventive writ of habeas corpus, which would enjoin authorities not to arrest the women or their children. Some wives of political supporters of President Allende have been detained in the 11 months since he was overthrown. Minors have also been detained for political offenses.

Of the 1,008 habeas corpus petitions considered this year by the appeals court here, all but one of those entered on behalf of people detained for political reasons have been turned down.

The one writ that was granted, in the case of a 14-year-old boy, was overturned by the Supreme Court after it had heard arguments from the Ministry of Interior that the boy had been a member of the Communist Party Youth and an active supporter of Allende's government. He is still detained.